

RESPONSE

The applicants have recently been granted a Phase II SBIR grant based on the success of the results of its performance under a Phase I SBIR grant contract. Applicants requests that the applicant be amended to add reference to both of these contracts.

At the time of the July 5, 2005 Office Action claim 1-26 where pending. The Examiner allows claim 20; indicated allowability of claims 4-6, 10-17; and 22-25 and rejects claims 1-3, 7-9, 18, 19, 21, and 26. The Examiner's rejections are based on the following:

Claims 1-3, 7-9, 18, 19, 21 and 26 under §103(a) as being unpatentable over US Patent 6,700,775 to Juster ("*Chuang et al.*")

Reconsideration of the Examiner's rejections is respectfully requested.

Allowance and Indications of Allowance

The applicant appreciates the Examiner's allowance of claim 20 and indication of allowance of claims 4-6, 10-17 and 22-25. Claims 10-16 have been amended to be in allowable form as indicated by the examiner's findings of allowable subject matter.

Claim 10 has been amended to include the subject matter of original claims 1 and 11.

Chuang §103(a) rejection

The applicants respectfully request reconsideration of the Examiner's Rejection of Claims 1-3, 7-9, 18, 19, 21, and 26 under 35 U.S.C. 103(a) as anticipated by *Chuang* whether or not taken in view of *Ma*. Even if the teachings of *Chuang* and *Ma* were combined, all of the elements of the claimed invention are not found in the combination. Furthermore, there is no suggestion to combine the teachings of *Chuang* or *Ma*. To the contrary *Chuang* describes a system where all of the functional components of the computer in a unitary body with the display – a tablet computer. The keyboard is a peripheral device mounted in a cover for the tablet computer. The keyboard and tablet are connected to each other through a USB interface. It is known in the art that a keyboard may have a separate power supply – particularly if the keyboard and computer

employ a wireless data connection. However, it requires a cognitive leap to place batteries in the cover that are capable of powering the computer. Both the referenced cited by the Examiner do not suggest such a leap. Quite to the contrary, **Chuang** teaches away from such power distribution disclosing a USB interface where the tablet provides the power to the keyboard which is the opposite of what is claimed in the present application. This teaching away applies to distribution of power whether or not the battery packs supply power to the computer when the cover is engaged or whether they are merely interchangeable with the computer's main battery pack.

Ma does not disclose or suggest placing batteries to power the computer in the lid of the lap top configuration disclosed therein. To the contrary **Ma** teaches the placing the batteries in the housing that contains the processor and all of the other major computer components. For the purposes of the claimed invention and location of the battery to power the computer, **Chuang** and **Ma** are the same: the battery is in the computer housing - not in the cover. The difference between **Ma** and **Chuang** relevant to the present application is that in **Ma** a display is in the cover and in **Chuang** the keyboard is in the cover but in both cases the references teach locating the batteries that supply power to the major components of the computer device in the housing with those devices and nothing in either reference or the combination of these references suggests locating batteries in a cover to the computer housing. In order to cite a single reference under Section 103(a) the Examiner must show some suggestion for modifying the reference to include the limitations of the claim. In this case the Examiner must show some suggestion that the referenced device be modified to be covered by the claim in question. In this case the Examiner must show *inter alia* that there is a suggestion to place batteries in a computer housing's cover. The antithesis of a suggestion to modify is to teach away from the modification. In fact the cited reference **Chuang** and **Ma** do exactly that, the cover takes power from the computer rather than supplying power to the computer.

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The applicants believe that the foregoing fully responds to all outstanding matters, respectfully submit that all remaining claims are in condition for allowance, and respectfully request that a timely Notice of Allowance be issued so the present application may swiftly pass to issuance.

Should the Examiner have any questions or desire clarification of any sort, or if it would facilitate a fair and efficient favorable disposition, the Examiner is invited to telephone the undersigned at the number listed below to schedule a telephone conference to discuss the application. Please reference Attorney Docket No. cited above.

While Applicants believe no extension nor any fee is due with the transmission of this Preliminary Amendment, if any extension or fees are due, such extension is hereby requested and the Commissioner is hereby authorized to charge Deposit Account No. 50-2726 of Fortkort Grether + Kelton LLP for any such fee.

RESPECTFULLY SUBMITTED,

HEINZ GRETHER PC

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